



Washington, D.C. 20505

(b)(3)

June 17, 2008

Mr. Mark Zaid
The James Madison Project
1250 Connecticut Avenue, NW
Suite 200
Washington, D.C. 20036

APPROVED FOR
RELEASE DATE:
18-Aug-2010

Reference: F-2008-01106

Dear Mr. Zaid:

On 10 April 2008, the office of the Information and Privacy Coordinator received your 10 April 2008 Freedom of Information Act (FOIA) request for copies of the following:

1. **“All articles published in the Central Intelligence Agency (‘CIA’) in-house journal *Studies in Intelligence* before 1983 that were previously determined to be exempt from Automatic Declassification pursuant to Executive Order 12958, § 3.3(b); and**
2. **“All articles published in *Studies in Intelligence* that were previously withheld from a) a prior legitimate FOIA request or b) a request for Mandatory Declassification Review (‘MDR’) pursuant to Executive Order 12958 § 3.5. For purposes of this subparagraph you may limit your searches to withholding determinations made prior to 2006.”**

We accept Item 1 of your request and will process it according to the FOIA, 5 U.S.C. § 552, as amended, and the CIA Information Act, 50 U.S.C. § 431, as amended. We will limit our search to records existing through the date of this acceptance letter.

With regard to Item 2, the CIA Information Act, 50 U.S.C. § 431, as amended, exempts CIA operational files from the search, review, publication, and disclosure requirements of the Freedom of Information Act. To the extent your request seeks information that is subject to the FOIA, the Agency cannot accept this request, in its current form, because it would require the Agency to perform an unreasonably burdensome search. The FOIA requires requesters to "reasonably describe" the information they seek so that professional employees familiar with the subject matter can locate responsive information with a reasonable amount of effort. Because of the breadth, vagueness, and lack of specificity of your request, and the way in which the Agency configures its records systems that are subject to the FOIA, the Agency cannot conduct a reasonable search for

information responsive to your request.

We determined that your request falls into the "all other" fee category, which means that you will be required to pay charges that recover the cost of searching for and reproducing responsive records (if any) beyond the first 100 pages of reproduction and the first two hours of search time, which are free. Copies are ten cents per page. However, since it is estimated that costs will be minimal, as an act of administrative discretion fees will not be assessed in this particular instance.

The large number of FOIA requests CIA receives has created unavoidable delays making it unlikely that we can respond within the 20 working days the FOIA requires. You have the right to consider our honest appraisal as a denial of your request and you may appeal to the Agency Release Panel. A more practical approach would permit us to continue processing your request and respond to you as soon as we can. You will retain your appeal rights and, once you receive the results of our search, can appeal at that time if you wish. We will proceed on that basis unless you object.

Sincerely,



Delores M. Nelson
Information and Privacy Coordinator

